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*Attorneys for Defendants*  
*SmileDirectClub, LLC*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CYRUS S. WHITTAKER, individually on  
behalf of myself,

Plaintiff,

VS.

SMILEDIRECTCLUB, LLC; ZACHARY POTTS, D.D.S.; MICHAEL GUIRGUIS, D.D.S.; DOES 1 through 10; and ROE ENTITIES 11 through 20, inclusive,

## Defendants.

CASE NO.: 2:21-cv-01019-RFB-BNW

**STIPULATION AND ORDER TO  
DISMISS SMILEDIRECTCLUB, LLC  
WITH PREJUDICE**

IT IS HEREBY STIPULATED and agreed by and between Plaintiff, CYRUS S. WHITTAKER, and Defendant SMILEDIRECTCLUB, LLC, by and through Plaintiff and Defendant's counsel of record that:

- 1) Any and all claims by Plaintiff against Defendant SMILEDIRECTCLUB, LLC related to this matter in any court, jurisdiction or venue shall be dismissed in their entirety, with prejudice;
- 2) This dismissal resolves all remaining claims as to all remaining parties; and

1           3) Defendant SMILEDIRECTCLUB, LLC shall be dismissed, with prejudice, with Plaintiff  
2           and Defendant to bear their own attorneys' fees and costs.

3           **IT IS SO STIPULATED.**

4           DATED: September 22, 2021

**PLAINTIFF, IN PRO PER**

5           By:     /s/ Cyrus Whittaker  
6           CYRUS S. WHITTAKER (PLAINTIFF)  
7           Nevada Bar No. 14965  
8           10833 Wilshire Blvd. #429  
9           Los Angeles, CA 90024  
10           Telephone: 725.696.9635  
11           Fax: 310.300.1426

12           DATED: September 22, 2021

**HALL PRANGLE & SCHOONVELD, LLC**

13           By:     /s/ Tyson J. Dobbs  
14           TYSON J. DOBBS, Esq.  
15           Nevada Bar No. 111953  
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19           Las Vegas, NV 89144  
20           *Attorneys for Defendants*  
21           *SmileDirectClub, LLC*

## ORDER

IT IS HEREBY ORDERED that:

- 1) Any and all claims by Plaintiff against Defendant SMILEDIRECTCLUB, LLC related to this matter in any court, jurisdiction or venue are dismissed in their entirety, with prejudice;
- 2) This dismissal resolves all remaining claims as to all remaining parties; and
- 3) Defendant SMILEDIRECTCLUB, LLC is hereby dismissed, with prejudice, with Plaintiff and Defendant to bear their own attorneys' fees and costs.

## IT IS SO ORDERED.

  
RICHARD F. BOULWARE, II  
United States District Judge  
DATED this 23rd of September, 202

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